



WEST VIRGINIA DEVELOPMENT OFFICE

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August 2, 2017

Rebecca L. Stepto
Executive Director
West Virginia Ethics Commission
210 Brooks Street, Ste. 300
Charleston, WV 25301

RE: Request for Exemption of a Public Contract on behalf of the West Virginia Development Office/West Virginia Office of Tourism.

Dear Ms. Stepto:

Please accept this letter as a formal request on behalf of the West Virginia Development Office ("WVDO") and the Office of Tourism to receive an exemption pursuant to West Virginia Code § 6B-2-5(d)(4) from the prohibition against interests in public contracts. The agencies respectfully submit that this exemption is imperative to the success of our efforts to fulfill the mandate and mission to attract substantial economic opportunity to our state.

Specifically, the WVDO seeks an exemption from the WV Ethics Act to attend the Business Summit at the Greenbrier Resort on August 29-31, 2017. More broadly, the WVDO and Office of Tourism seek an exemption from the Ethics Act for future functions and/or events occurring at the Greenbrier Resort that represent business recruitment opportunities for West Virginia.

The WVDO routinely attends functions and/or events at the Greenbrier Resort as part of its normal business operations. In the near term, the WVDO would like to attend the annual Business Summit scheduled later this month, provide on-site lodging for necessary personnel and host business prospects as it would in any other venue to support its mission to recruit new and better jobs to West Virginia. In the past, the WVDO has used the Business Summit as a vehicle to interact with business leaders from West Virginia to learn about their operations and identify opportunities to grow those companies. In addition, the WVDO can meet and network with companies or professionals attending the event who may have interest in bringing business to the state. The WVDO believes it would place a hardship on the agency and substantially interfere with its purpose if it is unable to attend the Business Summit because it is the only function of its kind during the year that convenes all these businesses and their representatives in a single location.

The WVDO has also used the Greenbrier to host site location consultants in West Virginia. These individuals act as intermediary counselors between their corporate clients evaluating significant capital investments and state economic development agencies representing potential locations for those investments. The WVDO has no current plans to host such an event but would like the flexibility to do so

again because the Greenbrier is the best location in the state to make a positive impression for individuals who are unfamiliar with the state of West Virginia and the opportunities that exist here.

The purpose of requesting the broader exemption is to address other potential conflicts with the Ethics Act and alleviate the need to seek event by event exemptions. For example, the WV Tourism Office is often invited to attend events at the Greenbrier and would appreciate similar guidance or flexibility. These types of engagements necessarily require the expenditure of public resources to stay on premises and patronize the facilities on site for entertainment purposes. Moreover, it is impossible to promote tourism in West Virginia and avoid the state's most-recognized resort. Accordingly, eliminating the Greenbrier as a venue to promote tourism substantially interferes with the Tourism Office's mission to recruit and promote tourism opportunities in the state.

The WVDO and WV Tourism Office requests that this matter be considered by the Commission at the very earliest opportunity given the time constraints as a result of the soon approaching date of this first event. Your attention and efforts are greatly appreciated.

Sincerely,



Joshua L. Jarrell
Deputy Cabinet Secretary/General Counsel